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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

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11 BRANCH BANKING AND TRUST  
12 COMPANY, a North Carolina banking  
13 corporation,,  
14

15 Plaintiff,

16 vs.

17 SOSSAMAN & GUADALUPE PLAZA, LLC,  
18 a Nevada limited liability company, YOEL  
19 INY; NOAM SCHWARTZ; YOEL INY,  
20 Trustee of the Y&T INY FAMILY TRUST  
21 dated June 8, 1994; NOAM SCHWARTZ,  
22 Trustee of the NOAM SCHWARTZ TRUST  
23 dated August 19, 1999; D.M.S.I., L.L.C., a  
24 Nevada limited liability company; and DOES 1  
25 through 10, inclusive,  
26

27 Defendants.  
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CASE NO. 2-12-cv-01775-LRH-PAL

21  
22 **STIPULATED ORDER TO VACATE JUDGMENTS  
23 AND TO DISMISS ACTION WITH PREJUDICE**

24 Plaintiff BRANCH BANKING AND TRUST COMPANY ("BB&T" or "Plaintiff"), by  
25 and through its undersigned counsel of record, and Defendants SOSSAMAN & GUADALUPE  
26 PLAZA, LLC, YOEL INY, NOAM SCHWARTZ, YOEL INY as Trustee of the Y&T INY  
27 FAMILY TRUST dated June 8, 1994, NOAM SCHWARTZ as Trustee of the NOAM  
28 SCHWARTZ TRUST dated August 19, 1999, and D.M.S.I., L.L.C. (collectively "Defendants"),  
by and through their undersigned counsel of record, hereby stipulate and agree to the entry of

1 this Stipulated Order by this Court providing as follows:

2 1. The Final Deficiency Judgment entered in this action in favor of BB&T and  
3 against Defendants on July 11, 2016 [ECF No. 147] in the amount of \$515,160.40 is hereby  
4 vacated;

5 2. The Judgment entered in this action in favor of BB&T and against Defendants on  
6 February 10, 2017 [ECF No. 163] awarding BB&T attorney fees in the amount of \$208,848.22  
7 and nontaxable costs in the amount of \$4,475.10 is hereby vacated;

8 3. All claims and counterclaims asserted in this action are hereby dismissed with  
9 prejudice; and

10 4. The parties shall each bear their own attorney fees and costs incurred in  
11 connection with this action.


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13 IT IS SO STIPULATED.


14 DATED this 19 day of Dec., 2017.

DATED this 6<sup>th</sup> day of Nov., 2017.

15 **HOLLAND & HART LLP**

**KOLESAR & LEATHAM**

16  
17 By   
18 JEREMY J. NORK, ESQ.  
19 FRANK Z. LAForge, ESQ.  
20 5441 Kietzke Lane, Second Floor  
Reno, Nevada 89511

By   
BART K. LARSEN, ESQ.  
400 South Rampart Boulevard, Suite 400  
Las Vegas, Nevada 89145

21 *Attorneys for Plaintiff*

*Attorneys for Defendants*

22  
23 IT IS SO ORDERED.

24   
25 LARRY R. HICKS  
26 UNITED STATES DISTRICT JUDGE

27 DATED: December 22, 2017

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